



ACTIVITY DETERMINATION

Determined by the New South Wales Land and Housing Corporation

Project No. BH26H

Conflict of Interest¹

In this matter:

1. I have declared any possible conflict of interests (real, potential or perceived) to the Head of Housing Portfolio, Homes NSW.
2. I do not consider I have any personal interests that would affect my professional judgement.
3. I will inform the Head of Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest.

Signed.....

Dated 17 July 2025

Lisa Marigliano
Executive Director, Portfolio Development
Housing Portfolio
Homes NSW

Having regard to the Determination Recommendation Report, the Statement of Compliance and the Review of Environmental Factors for this project addressing matters under Part 5 of the *Environmental Planning and Assessment Act 1979*, I, as a delegate of the New South Wales Land and Housing Corporation, determine that the activity proceed as described below and subject to the identified requirements set out in **Schedule 1**.

SITE IDENTIFICATION

STREET ADDRESS

Unit/Street No

-

Street or property name

Farnell Street, Belah Street and Dawson Street

Suburb, town or locality

Forbes, NSW

Postcode

2871

Local Government Area(s)

Forbes

Real property description (Lot and DP)

Lot 7332 in DP1166365, Lot 7025 in DP1020631 and Lot 7317 in DP1166614 and Lot 1 DP1077961

1. Conflict of interest includes actual and potential. A conflict of interest includes pecuniary i.e. financial interests to you or a related party or non-pecuniary i.e. benefits to relatives, friends, business associates and personal causes, etc. This includes "close relative of a person" as defined in section 49(6) of the Property and Stock Agents Act 2002.

ACTIVITY DESCRIPTION

Provide a description of the activity

Staged 100 lot residential subdivision, vegetation removal, landscaping and associated works including the construction of a stormwater detention bason on Lot 1 in DP1077961



Signed.....

Dated 17 July 2025

Lisa Marigliano
Executive Director, Portfolio Development
Housing Portfolio
Homes NSW

As a delegate of the New South Wales Land and Housing Corporation

SCHEDULE 1

IDENTIFIED REQUIREMENTS

PART A – Standard Identified Requirements

THE DEVELOPMENT

The following identified requirements are to ensure that the residential activity is carried out in accordance with the plans / documents and any amendments arising from the Review of Environmental Factors under Part 5 of the Environmental Planning & Assessment Act 1979, Section 171 of the Environmental Planning and Assessment Regulation 2021 and the requirements of State Environmental Planning Policy (Housing) 2021.

1. The development shall be carried out substantially in accordance with the following plans / documents as modified below and by any of the undermentioned Identified Requirements:

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
Subdivision Plan				
Subdivision Plan	240380(2)-MP-001-L	L	15/5/2025	ADWJohnson
Landscape Plans				
Cover Sheet		-	-	ADWJohnson
Cover Sheet	240380(2) - DA - LA 001	-	-	ADWJohnson
Project Overview	240380(2) - DA - LA 002	-	-	ADWJohnson
General Arrangement Plan	240380(2) - DA - LA100	-	-	ADWJohnson
Basin Layout Plan	240380(2) - DA - LA101	-	-	ADWJohnson

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
Typical Street Sections	240380(2)- DA - LA200	-	-	ADWJohnson
Typical Details	240380(2) - DA - LA300	-	-	ADWJohnson
Street Tree Imagery & Schedule	240380(2)- DA - LA400	-	-	ADWJohnson
Basin Tree Imagery & Schedule	240380(2)- DA - LA401	-	-	ADWJohnson
Specification	240380(2)- DA - LA500	-	-	ADWJohnson
Survey Plan				
Detail and Contour Survey	240380(2)-DET-001-B	B	17/08/2023	ADW Johnson
Civil Plans				
Title Sheet, Drawing Index & Locality Plan	240380(2)-CENG-001	J	16/05/2025	ADWJohnson
General Arrangement Plan	240380(2)-CENG-002	J	16/05/2025	ADWJohnson
Servicing Plan	240380(2)-CENG-003	J	16/05/2025	ADWJohnson
Detail Plan – Sheet 1	240380(2)-CENG-101	J	16/05/2025	ADWJohnson
Detail Plan – Sheet 2	240380(2)-CENG-102	J	16/05/2025	ADWJohnson
Detail Plan – Sheet 3	240380(2)-CENG-103	J	16/05/2025	ADWJohnson
Detail Plan – Sheet 4	240380(2)-CENG-104	J	16/05/2025	ADWJohnson
Basin Detail Plan	240380(2)-CENG-111	J	16/05/2025	ADWJohnson
Road Longitudinal Section: Road MC01	240380(2)-CENG-201	J	16/05/2025	ADWJohnson
Road Longitudinal Section: Road MC02	240380(2)-CENG-202	J	16/05/2025	ADW Johnson
Road Longitudinal Section: Road MC03	240380(2)-CENG-203	J	16/05/2025	ADW Johnson
Road Longitudinal Section: Road MC04	240380(2)-CENG-204	J	16/05/2025	ADW Johnson
Road Longitudinal Section: Road MC05 & MC07	240380(2)-CENG-205	J	16/05/2025	ADW Johnson
Road Longitudinal Section: Road MC08 & MC09	240380(2)-CENG-206	J	16/05/2025	ADW Johnson
Road Typical Cross Section	240380(2)-CENG-211	J	16/05/2025	ADW Johnson
Site Regrade Plan: Sheet 1	240380(2)-CENG-501	J	16/05/2025	ADW Johnson
Site Regrade Plan: Sheet 2	240380(2)-CENG-502	J	16/05/2025	ADW Johnson
Site Regrade Plan: Sheet 3	240380(2)-CENG-503	J	16/05/2025	ADWJohnson
Site Regrade Plan: Sheet 4	240380(2)-CENG-504	J	16/05/2025	ADW Johnson
Erosion & Sediment Control Plan: Sheet 1	240380(2)-CENG-801(F)	J	16/05/2025	ADW Johnson
Erosion & Sediment Control Plan: Sheet 2	240380(2)-CENG-802(F)	J	16/05/2025	ADW Johnson
Erosion & Sediment Control Plan: Sheet 3	240380(2)-CENG-803	J	16/05/2025	ADW Johnson
Erosion & Sediment Control Plan: Sheet 4	240380(2)-CENG-804	J	16/05/2025	ADW Johnson
Erosion & Sediment	240380(2)-CENG-805	J	16/05/2025	ADW Johnson

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
Control Details				
Specialist Reports				
Aboriginal Due Diligence Assessment Report	3864	V3.2	16/01/2024	OzArk Environment & Heritage
Bushfire Statement	230989	-	08/05/2023	Bushfire Hazard Solutions
Preliminary Site Investigation	EP3269.004	V2	16/05/2025	EP RISK Management
Biodiversity Assessment Report	3864	V3.4	23/01/2024	OzArk Environment & Heritage
Stormwater Management Plan	240380(2)	-	29/04/2025	ADW Johnson
Geotechnical Investigation Report	EP3269.003	V1	15/05/2025	EP RISK
Traffic Impact Assessment	SCT_00425	3.0	16/01/2024	SCT Consulting
Traffic Impact Addendum Letter	-	-	25/11/2024	SCT Consulting
Arboricultural Impact Assessment	-	3	14/12/2023	Douglas Arbor

2. All commitments listed in the approved plans and recommendations made in the specialist reports listed in Identified Requirement 1 shall be implemented.
3. Where relevant, all work is to be undertaken in accordance with the National Construction Code and referenced Australian Standards.
4. The works associated with the subdivision of land is required to be undertaken and certified in accordance with Section 6.28 of the Environmental Planning and Assessment Act 1979, where relevant.
5. The land the subject of this determination shall be subdivided as per the approved plans. The plan of subdivision shall be lodged at the NSW Land Registry Services and shall be registered prior to the occupation of the development. A copy of the registered plan shall be provided to the NSW Land and Housing Corporation.
6. Subdivision certificates may be issued in stages provided relevant subdivision works (including utility provisions) have been completed for each relevant stage consistent with the staging shown on the approved plan.

DESIGN

The following Identified Requirements relate to the design of the development and are to ensure that the activity and upon completion does not interfere with the amenity of the surrounding area.

Subdivision

7. The subdivision must be designed in accordance with the approved civil and landscape plans with the detailed design complying with specifications identified by the New South Wales Land and Housing Corporation in consultation with the Forbes Shire Council.

Stormwater Run-off

8. Stormwater shall be collected within the site and conveyed in a pipeline to the new detention basin located within the Forbes Shire Council land or appropriate drain at Dawson or Farnell Street or to the formalised swale and be designed in accordance with the approved Stormwater Management Plan report and stormwater drainage civil engineering plans and in consultation with the Forbes Shire Council.

Vehicular Access

9. Any obsolete gutter laybacks shall be constructed as kerb in accordance with the standard mutually agreed with Forbes Shire Council.

Note: It is recommended that discussions be held with the relevant authorities before construction works commence.

Landscaping

10. Landscaping shall be carried out substantially in accordance with the approved landscape plan(s) and maintained for a period of 12 months by the contractor. Forbes Shire Council shall be consulted in relation to the planting of any street trees.

Tree Removal

11. Removal of trees within the boundaries of the site, in accordance with the approved Arboricultural Assessment Report except for Tree No. 72 and 73, are permitted for removal. No other trees shall be removed without further approval(s). Tree No.74 located within the Morton Street road reserve shall also be retained and protected.

Electrical Utilities

12. All residential blocks are to be serviced with an electrical connection in accordance with the supply requirements of Essential Energy (or the relevant energy provider).
13. All street lighting is to be designed in accordance with AS1158 Pedestrian Area Lighting Standard.

Requirements resulting from Forbes Shire Council Comments

14. The water and sewer reticulation are to be designed to be in accordance with the specific codes or an alternative specification mutually agreed with the Forbes Shire Council.
15. The design and access arrangements to the Lower Morton Street properties from the new access road located within Lot 1 DP1077961 (in Forbes Shire Council's ownership) must be developed in consultation with the Forbes Shire Council.
16. The details of the drainage structure to be placed in the road reserve to convey stormwater to the detention basin must be designed in consultation with Forbes Shire Council.
17. The landscape design for the detention basin area located within part of Lot 1 DP1077961 must be designed in consultation with Forbes Shire Council having regard to traffic sight lines at the intersection of Lower Morton Street and York Street intersection.

Consultation with Energy Provider

18. The realignment of the overhead power line and creation of an easement for the power line shall be designed in accordance with the specific requirements and in consultation with relevant energy provider.

Agreement

19. A Right of Access Licence Agreement must be prepared between NSW Land and Housing Corporation and Forbes Shire Council detailing that the stormwater detention basin within Lot 1 DP1077961 will be maintained for a period of 12 months upon construction by NSW Land and Housing Corporation and handed over to Forbes Shire Council for future management and maintenance. The contents of this Agreement shall be prepared with the agreement of both parties.

SUBDIVISION – PRIOR TO ANY PHYSICAL WORK COMMENCING

The following Identified Requirements are to be complied with prior to any work commencing.

Appointment of the Certifier/s

20. NSW Land and Housing Corporation or a person acting on their behalf must certify the design of the works relating to the subdivision of the land.
21. NSW Land and Housing Corporation must invite Forbes Shire Council to nominate and attend the agreed critical inspections / construction stages (as required by Identified Requirement No. 48) to ensure that all works that will form part of the land dedication to Forbes Shire Council, are constructed in accordance with relevant standards and specifications in consultation with Forbes Shire Council.

Public Liability Insurance

22. A valid public liability insurance policy of at least \$10 million shall be maintained throughout the demolition / construction works by the civil contractor.

Construction Environmental Management Plan

23. A Construction Environmental Management Plan (CEMP) will be prepared by the contractor to address the requirements of this document.
- The CEMP should include mitigation measures and controls to manage any environmental impacts associated with the project and as recommended within the specialist consultant reports that are appendices to the Review of Environmental Factors. A copy of the CEMP must be submitted to NSW Land and Housing Corporation for approval prior to the works commencing.
 - The CEMP will include a construction traffic management plan to dictate traffic flows and parking arrangements for construction vehicles.
 - The CEMP will include an Unexpected Finds Protocol (UFP) to manage any unexpected occurrences of contamination, heritage items, flora and fauna should they be encountered during the development of the site.

Site Works

24. All soil erosion and sediment control measures required to be put in place prior to the commencement of any earthworks and demolition / construction works and shall be maintained during the entire period of the works and until all the disturbed areas are restored by turfing, paving or revegetation. Soil erosion and sediment control measures shall be designed in accordance with the guidelines set out in the Blue Book Managing Urban Stormwater: Soils and Construction (4th edition, Landcom, 2004).
25. A Structural Engineer shall design any retaining walls or other methods necessary to prevent the movement of excavated or filled ground, including associated stormwater drainage measures.
26. Prior to the commencement of works, all the associated subdivision works and specifications must be designed in accordance with the relevant standards having regard to the Geotechnical Investigation Report and the Civil engineers must provide certification of the associated works.

Long Service Levy

27. The long service levy shall be paid to the Long Service Payments Corporation in accordance with the Building & Construction Industry Long Service Payments Act 1986 prior to the commencement of any building and construction works of each stage.

Service Authority Clearances

28. A Compliance Certificate, or other evidence, shall be obtained from the relevant water utility provider (Forbes Shire Council), confirming service availability prior to work commencing.

Note: Payment of water and/or sewer service charges and/or a notice of requirements for works to be carried out during construction / prior to occupation may be applicable prior to issue of the compliance certificate.

29. A written clearance from an electricity supply authority stating that electrical services are available to the site, or that arrangements have been entered into for the provision of services to the subdivision site, shall be obtained prior to work commencing.
30. A certificate from an approved telecommunications carrier certifying that satisfactory arrangements have been made for the provision of underground telephone services, to the subdivision site is provided, shall be obtained prior to work commencing.

31. A Dial before you Dig must be obtained.

Utilities Service Provider Notification

32. The earthworks/ demolition / construction plans shall be submitted to the appropriate water utility's authority (Forbes Shire Council) to determine whether or not the development will affect the utility's sewer and water mains, stormwater drains, electricity, gas and any easements.

Demolition and Earthworks

33. The contractor shall notify the occupants of premises on either side, opposite and at the rear of the site a minimum of 5 working days prior to commencement of works. Such notification shall be clearly written on an A4 size paper giving the date demolition will commence and be placed in the letterbox of every premise (including every unit in a multi-unit residential building or mixed use building). The works shall not commence prior to the date that is stated in the notice letter.
34. Prior to the commencement of works, a Work Plan shall be prepared by a competent person(s) in accordance with AS 2601 and shall be submitted to the NSW Land and Housing Corporation. The Work Plan shall outline the identification of any hazardous materials (including surfaces coated with lead paint), the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

Forbes Shire Council Notification

35. The Forbes Shire Council shall be advised by the contractor in writing, of the date it is intended to commence work, including demolition. A minimum period of 5 working days notification shall be given.

Landfill

36. Where site filling is required, it must achieve a minimum compaction requirements in accordance with the approved civil engineering plans and certified by a NATA registered Soils Laboratory.
37. Land fill materials must satisfy the following requirements:
- Shall be Virgin Excavated Natural Matter (VENM) in accordance with the NSW EPA Part 1 Waste Classification Guidelines;
 - Shall be free of slag and hazardous, contaminated, putrescible, toxic or radio-active matter; and
 - Shall be free of industrial waste and building debris.
 - Evidence to support the classification of land fill materials as VENM should be maintained by the contractor and provided to the NSW Land and Housing Corporation. Evidence includes testing against Part 1 of the NSW Waste Classification criteria and records (including but not limited to NSW EPA VENM certificates) showing the material meets the description of VENM.

Site Facilities

38. The following facilities shall be installed on the site:
- Toilet facilities shall be provided at the rate of 1 toilet for every 20 persons, or part thereof, employed at the site. Each toilet shall be a standard flushing toilet and shall be connected to a public sewer. If connection to a public sewer is not practicable, to an accredited sewerage management facility provided by Forbes Shire Council for the area or if this is also not practicable to some other Forbes Shire Council approved management facility.
 - Adequate refuse disposal methods and builders' storage facilities, builders' wastes, materials or sheds shall not be placed on any property other than that to which this activity relates.
39. Access to the site shall only be provided via an all-weather driveway on the property and shall not be provided from any other site.

Site Safety

40. A sign shall be erected in a prominent position on the site:
- showing the name, address and telephone number of the responsible NSW Land and Housing Corporation officer for the work, and
 - showing the name of the principal contractor (if any) and the telephone number on which that person may be contacted during and outside working hours, and
 - stating that unauthorised entry to the site is prohibited.
- The sign shall be maintained while the work is being carried out but shall be removed when the work has been completed.
41. A minimum 1.8m high security fence must be erected between the work site and any public place prior to commencement of works. Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when demolition / construction work is not in progress or the site is otherwise unoccupied.
42. Vehicle/equipment parking, stockpiles, building and demolition materials shall not be stored on the Forbes Shire Council footpath or roadway.

Protection of Trees

43. Trees and other vegetation that are to be retained shall be protected prior to the commencement of works and for the duration of the construction period in accordance with the details provided in the Arboricultural Assessment Report and Biodiversity Assessment Report.
44. Prior to any construction works on the land, a fenced exclusion zone area must be designed and erected around the ecologically endangered native vegetation located between Lots 205 & Lots 233 and identified as PCT 26 within the Biodiversity Assessment Report. This shall include the protection of Tree No.s 72 & 73 located within the subject site, and Tree 74 located within the Morton Street road reserve, as identified in the Arboricultural Assessment Report. The fenced exclusion zone shall ensure the protection of this vegetation at all times. No works are permitted to occur within this exclusion zone area.

Biodiversity Assessment Report

45. All relevant mitigation measures and avoidance recommendations within the Biodiversity Assessment Report must be complied with, prior to and during works on the land.

Waste Management

46. A final Waste Management Plan shall be prepared and submitted to the NSW Land and Housing Corporation by the contractor prior to the commencement of earthworks/demolition/construction. The Plan shall detail the amount of waste material and the destination of all materials, recyclable and non-recyclable.

Impact of Construction Works

47. To assist in the resolution of any future disputes about damage to properties adjoining the development site, a dilapidation report shall be prepared to detail the condition of fencing along the common boundaries and any other structures within 5 metres of the common boundary. If the consent of adjoining owners is not provided within 14 days of a letter requesting access, this requirement will be considered satisfied. The reports must be provided to NSW Land and Housing Corporation, Forbes Shire Council and to the owners of the properties that are the subject of the report. The report must be prepared by a suitably qualified and experienced person.

Inspections Schedule – Civil Works

48. Prior to the commencement of the approved civil works the NSW Land and Housing Corporation or a person acting on their behalf shall nominate a schedule of critical stage inspections for construction. This inspection schedule must be prepared in consultation with Forbes Shire Council. The inspection schedule must include the following critical stages:
- Stormwater pipes – laid, jointed and prior to backfill, subsoil drainage lines.
 - Road pavements – proof rolling, profile checking, steel inspection.
 - Pedestrian footpaths – prior to pouring concrete, profile checking,
 - Pit and pipes – inspection prior to backfill of pipes, steel inspection of pits, final inspections of pits.
 - Final inspection – all outstanding work.

SUBDIVISION – DURING WORKS

The following Identified Requirements are to be complied with whilst works are occurring.

Site works

49. In accordance with the Preliminary Contamination Report prepared by EP Risk, the following should be carried out:
- Anthropogenic material from the suspected fly tipping should be removed from the site prior to any vegetation clearance or earthworks activities.
 - If these electrical power pole butts are to be removed offsite, the material should be assessed in accordance with Part 10 and Clause 101 of the Protection of the Environment Operations (Waste) Regulation 2014, where the NSW EPA has issued general immobilisation approvals by notice in the Gazette for treated timber power poles including Tanalith E, Copper-Chrome Arsenate (CCA) and Creosote treated timber waste.

- The unexpected finds protocol should be implemented during redevelopment to address any unidentified contamination that may be encountered during the proposed redevelopment works.

Site Safety

50. The requirements of Identified Requirement Nos. 41, 42 and 43 relating to site safety must be maintained during the construction stages.

Disconnection of Services

51. All services that are required to be disconnected shall be appropriately disconnected by/on behalf of the NSW Land and Housing Corporation and made safe prior to commencement of the demolition / construction works. The various service authorities shall be consulted regarding their requirements for the disconnection of services.
52. All existing services within the boundary to remain live shall be identified, pegged and made safe.

Site Works – Erosion and Sediment Control

53. All soil erosion and sediment control measures required to be put in place prior to the commencement of any earthworks and demolition / construction works shall be maintained during the entire period of the works and until all the disturbed areas are restored by turfing, paving or revegetation. Soil erosion and sediment control measures shall be designed in accordance with the guidelines set out in the Blue Book Managing Urban Stormwater: Soils and Construction (4th edition, Landcom, 2004).

Construction Management Plan

54. The CEMP (as required by Identified Requirement No.23) mitigation measures, controls and recommendations to manage environmental impacts must be maintained during all works as relevant.

Unexpected Finds

55. **Site Soil Contamination** – The CEMP and UFP required by Identified Requirement No.23 shall be followed should contaminated soils be encountered during works. If the site is identified as being contaminated, all works must cease and advice from a registered environmental consultant must be sought, and the NSW Land and Housing Corporation must be immediately informed.
56. **Heritage** – Historic and indigenous archaeological sites and relics are protected under the Heritage Act 1977 and National Parks and Wildlife Act 1974, respectively. Should any relics be uncovered during the course of the approved works, work must cease immediately in the affected area. Subsequently, in cases where historical or Indigenous items have been uncovered, the NSW Department of Climate Change, Energy, the Environment and Water must be contacted.
57. All workers / contractors on the site shall be informed of their obligations, under the Heritage Act and National Parks and Wildlife Act 1974, that it is illegal to disturb, damage or destroy a relic without the prior approval from the NSW Department of Climate Change, Energy, the Environment and Water.

Flora and Fauna

58. a. If a threatened flora or fauna species / Endangered Ecological Community / Matter of National Environmental Significance is unexpectedly encountered during excavation / construction activities, the civil contractor must:
- Cease ALL WORK in the vicinity of the find.
 - Immediately notify the construction Manager or site manager who is to notify the Project Ecologist, Client environmental representative.
 - Seek further direction from project ecologist prior to continuation of works.
- b. Prior to felling, all trees should be inspected by an ecologist to determine if any native birds are nesting within them. If no birds are found to be nesting, then felling can proceed without supervision of an experienced ecologist. If birds are found to be nesting, then the felling should cease until the chicks have fled the nest. Once the nest is unoccupied, felling can continue.
59. The “suitably qualified ecologist” noted above should have a tertiary degree in biology (or equivalent) and should have experience in handling native fauna.
60. All non-native flora should be disposed of at an appropriate waste management facility.

Biodiversity Assessment Report

61. The mitigation measures and avoidance recommendations within the Biodiversity Assessment Report must be complied with during all stages of construction stages.

Aboriginal Due Diligence

62. A copy of the Aboriginal Due Diligence Assessment Report listed in Identified Requirement No. 1, and any subsequent due diligence investigations, should be kept on record and on site, and if requested, supplied to the relevant government agency as proof of compliance with the Due Diligence Code of Practice.

Demolition and Earthworks

63. During all works, public roads shall not be obstructed by any vehicles unless a permit to do so is granted by Forbes Shire Council. The public roads shall be swept (not hosed) clean of any material, including clay, soil and sand.
64. All vehicles leaving the site shall have their loads covered and vehicles shall not track soil and other material onto the public roads. All loading of vehicles shall occur within the boundaries of the “Limit of Construction” shown in the approved civil plan (Sheet Nos. 101- 104; Revision F) prepared by ADW Johnson as listed in Identified Requirement No.1.

Hours of Demolition / Construction / Civil Work

65. Demolition / construction / civil / earthworks shall only occur on the site between the hours of 7am to 5pm Monday to Saturday with no work permitted on Sundays or public holidays.

Excavation & Backfilling

66. All excavations and backfilling shall be executed safely and in accordance with appropriate professional standards. All such work shall be guarded and protected to prevent it from being dangerous to life or property.

Pollution Control

67. Any noise generated during the carrying out of the activity shall not exceed the limits specified in the July 2009 Interim Construction Noise Guideline published by the former Department of Environment and Climate Change.
68. No fires shall be lit, or waste materials burnt, on the site.
69. No washing of concrete forms or trucks shall occur on the site.
70. Any contamination / spills on the site during construction works shall be actively managed and reported immediately to the appropriate regulatory authorities to minimise any potential damage to the environment.
71. Dust generation during demolition / construction shall be controlled using regular control measures such as on site watering or damp cloth fences.
72. All vehicles transporting loose materials and travelling on public roads shall be secured (i.e. closed tail gate and covered) to minimise dust generation.
73. Non-recyclable waste and containers shall be regularly collected and disposed of at a licensed landfill or other disposal site in accordance with details set out in the final Waste Management Plan.

Impact of Construction Works

74. NSW Land and Housing Corporation shall bear the cost of any necessary adjustments to utility mains and services.
75. Care shall be taken to prevent any damage to adjoining properties. The cost of repairing any damage caused to the adjoining properties in the vicinity of the site as a result of demolition / construction works shall be met in full by the contractor.

Inspections – Civil Works

76. The approved civil works shall be inspected at critical stages of construction (scheduled as agreed by Identified Requirement No. 48) by the NSW Land and Housing Corporation nominated or a person acting on their behalf.

Landscaping

77. All scheduled plant stock shall be pre-ordered 3 months prior to the commencement of landscape works, for the supply to the site on time for installation. The contractor shall provide written confirmation of the order to NSW Land and Housing Corporation.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Geotechnical Site Investigation Report

78. Prior to the issue of a subdivision certificate, a Geotechnical Investigation Report must be prepared by the Geotechnical consultant for each lot confirming the soil type and lot classification. This written advice / confirmation must be provided to NSW Land and Housing Corporation and provided to purchasers' at or prior to the settlement of sales.

General

79. The registration of Subdivision Certificate may occur in stages consistent with the approved plans. Prior to the registration of any relevant stage of the subdivision all Identified Requirements contained within this Activity Determination that are relevant to that stage of the subdivision must be complied with.

Utilities

80. Prior to the issue of Subdivision Certificate for each relevant stage of the subdivision, the following documents shall be submitted to the NSW Land and Housing Corporation to demonstrate that the requirements of public utility services have been met:
- a. Relevant Energy Provider: Notice of Arrangement;
 - b. Certificate of compliance for water, sewer and stormwater infrastructure; and
 - c. Certification from an approved telecommunications provider.

Civil Construction Certification

81. Prior to issuing a Subdivision Certificate, the NSW Land and Housing Corporation or a person acting on their behalf is to certify that all civil works, including driveways, roads, footpaths, crossovers and drainage lines have been constructed in accordance with the certified civil drawings.

Forbes Shire Council must be invited to the final inspection of the works and be consulted regarding the adequacy of completed works prior to final certification.

Council Infrastructure Damage

82. Care shall be taken to prevent any damage to Forbes Shire Council roads. In relation to roads or any Council assets within 150m north and 150m south of the site's boundaries for Farnell Street and the entire extent of Dawson Street, the contractor shall be liable to make good on any damage to a pre-construction standard, if, due to demolition/construction works, damage is caused to such property or assets. The cost of repairing any damage caused to the Forbes Shire Council assets in the vicinity of the site as a result of demolition / construction works shall be met in full by the contractor.

Work As Executed Plan

83. Prior to the issue of a Subdivision Certificate, a Work As Executed Plan shall be prepared by the contractor clearly showing all aspects of the civil works, including any on-site detention system. The plan shall demonstrate general compliance with the approved stormwater drainage plans and shall include:
- sufficient levels and dimensions to verify the basin storage volumes; and
 - location and surface levels of all pits; and
 - invert levels of the internal drainage lines, orifice plates fitted and levels within the outlet control pits; and

- locations and levels of any overland flow paths; and
- verification that any drainage lines are located wholly within easements, where applicable; and
- road pavement and pedestrian footpath grades and levels, including kerb and guttering.

The Work-As-Executed Plan information shall be shown on the final civil works drawings.

Land Dedication

- 84.** Each Subdivision Certificate for each relevant stage must include the dedication of relevant roads within the relevant stage of the subdivision and where relevant to that stage, part of the land in between Lots 205 and 233 in the Subdivision Plan (marked as PCT 26 in the Biodiversity Assessment Report) to be dedicated to Forbes Shire Council, in accordance with Council requirements.

Restriction on the Use of Land / Easements / Fencing

- 85.** Prior to issuing or at the time of lodgement of a Subdivision Certificate for each relevant stage, appropriate restrictions on the use of land / easements under Section 88B of the Conveyancing Act are to be applied, such as:

- a. Common / interallotment Drainage lines
- b. Retaining walls / easement for support

Forbes Shire Council shall be consulted regarding required wording, where applicable. Any lots subsequently identified during the subdivision process as requiring restrictions shall also be suitably burdened. Where applicable, the authority empowered to release, vary or modify these restrictions on the use of land shall be the Forbes Shire Council.

- 86.** Prior to issuing or at the time of lodgement of a Subdivision Certificate for each relevant stage, the following restrictions, on the construction of rear fencing of the proposed lots, under Section 88B of the Conveyancing Act are to be applied.

- a. No fence shall be erected on any lot burdened unless it is erected without expense to LAHC or any adjoining owner not within this plan.
- b. No fence shall be erected on any lot burdened to divide it from any adjoining land owned by LAHC without its consent, but such consent shall not be withheld if such fence is erected without expense to LAHC. Clause b) shall remain in force only during such time as LAHC is the Registered Proprietor of that adjoining land.
- c. No boundary fencing shall be constructed unless constructed of Gramline profile and of metal construction and “Woodland Grey” or “Grey Ridge” or “Slate Grey” or similar in colour or a type of masonry, all to be of a height of not greater than 1.8 metres.
- d. In the event that boundary fencing is constructed along the rear and appropriate side boundaries for the lot burdened by this restriction and 12 years have passed from the date of registration of the plan, then the lot shall cease to be burdened by this restriction without the need for any formal release or variation of this restriction.

Note- Name of the company empowered to release, vary or modify these restrictions is Land and Housing Corporation until it is no longer the registered proprietor of any lot benefited by this restriction.

87. Prior to issuing or at the time of lodgement of a Subdivision Certificate for each relevant stage, appropriate restrictions on the use of the land under Section 88B of the Conveyancing Act are to be registered on each residential allotment within the subdivision to require the construction of a rainwater detention system, in accordance with Standard drawing FSC-SD-771 Rev B Dated August 2023 as approved by Forbes Shire Council.

Where applicable, the authority empowered to release, vary or modify these restrictions on the use of land shall be the Forbes Shire Council.

Endorsement of Subdivision Plan

88. The Plan of Subdivision creating the new allotments and the original 88B instrument, shall be submitted to the NSW Land and Housing Corporation for endorsement prior to lodgement at the NSW Land Registry Services.

The plan of subdivision must be prepared by a Registered Surveyor and must include the details of the easements to be applied to the site and the dedication of assets to Forbes Shire Council.

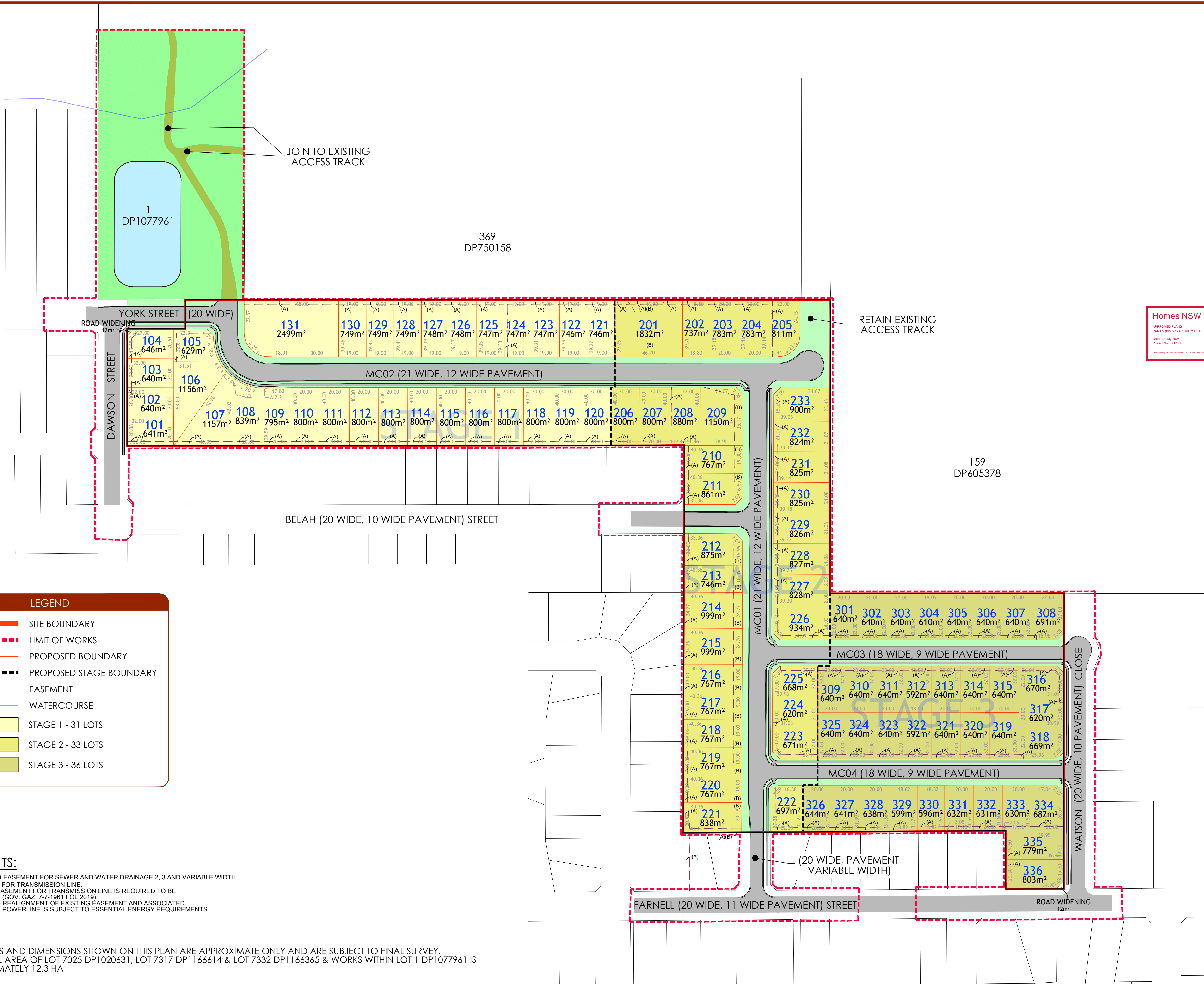
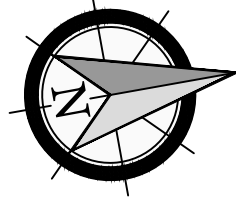
Requirements Resulting from Council Comments

89. The proposed new street names within the subdivision must be submitted to Forbes Shire Council for approval and allocation of street numbers prior to the submission of each relevant stage Subdivision Certificate.
90. Prior to issuing or at the time of lodgement of a Subdivision Certificate, a restriction to be placed on all lots to have an equal to or greater than 6m garage setback from any front boundary, under Section 88B of the Conveyancing Act.

Where applicable, the authority empowered to release, vary or modify these restrictions on the use of land shall be the Forbes Shire Council.

ADVISORY NOTES

- i. Approval of this development activity does not imply or infer compliance with Section 23 of the *Disability Discrimination Act 1992*. Refer to AS 1428.1 and the Building Code of Australia for detailed guidance.
- ii. Information regarding the location of underground services may be obtained from Dial Before You Dig at www.1100.com.au or by dialling 1100.



LEGEND

- SITE BOUNDARY
- LIMIT OF WORKS
- PROPOSED BOUNDARY
- PROPOSED STAGE BOUNDARY
- EASEMENT
- WATERCOURSE
- STAGE 1 - 31 LOTS
- STAGE 2 - 33 LOTS
- STAGE 3 - 36 LOTS

EASEMENTS:

- (A) PROPOSED EASEMENT FOR SEWER AND WATER DRAINAGE 2, 3 AND VARIABLE WIDTH
- (B) EASEMENT FOR TRANSMISSION LINE
- EXISTING EASEMENT FOR TRANSMISSION LINE IS REQUIRED TO BE RELEASED (GOV. GAZ. 7-7-1961 FOL 2019).
- PROPOSED REALIGNMENT OF EXISTING EASEMENT AND ASSOCIATED OVERHEAD POWERLINE IS SUBJECT TO ESSENTIAL ENERGY REQUIREMENTS

NOTE:

- THE AREAS AND DIMENSIONS SHOWN ON THIS PLAN ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
- THE TOTAL AREA OF LOT 7025 DP1020631, LOT 7317 DP1166614 & LOT 7332 DP1166365 & WORKS WITHIN LOT 1 DP1077961 IS APPROXIMATELY 12.3 HA

ver.	date	comment	drawn	pm	level information	scale (A1 original size)	notes
L	15/05/2025	AMENDED STAGE BOUNDARIES	AM	MLO	DATUM: GDA 2020 CONTOUR INTERVAL: 2m	A1 1:1250 A3 1:2500	

• project management • civil engineering • infrastructure • superintendency • economic analysis • social impact • town planning • surveying • development feasibility • visualisation • urban design

drawing title:

MASTER PLAN

location: FARNELL STREET, FORBES

council: FORBES

dwg ref: 240380(2)-MP-001-L

client:



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